

1 Amend 2 Cal. Code Regs. Section 18450.4 to read:

2 **§ 18450.4. Contents of Disclosure Statements. Advertisement Disclosure.**

3 (a) The disclosure requirements of Sections 84503 and 84506(a)(2) shall not  
4 apply to general purpose committees, as defined by Section 82027.5.

5 (b) Where a “disclosure statement” or “disclosure” is required for an  
6 advertisement under Sections 84503, 84504, 84506, or 84506.5, the following shall apply  
7 to the committee that authorized and paid for the advertisement:

8 (1) Disclosures shall include “paid for by” in the same manner as, and  
9 immediately adjacent to and above, or immediately adjacent to and in front of, the  
10 required identification. In addition, disclosure ~~Disclosures required under by~~ Sections  
11 84503 and 84506 shall include the name, pursuant to Regulation 18450.3, of the \$50,000  
12 contributor or contributors. The disclosure shall explicitly indicate that the contributor or  
13 contributors were major donors to the committee by stating, for example, “major funding  
14 by” ~~or “paid for by.”~~ “committee contributors:” or “top contributors:” In the case of a  
15 contributor that is a committee pursuant to Section 82013(a), the word “committee” shall  
16 be included in the disclosure. The aggregation rules of Regulation 18215.1 shall apply in  
17 determining when a contributor has reached the \$50,000 disclosure threshold of Sections  
18 84503 and 84506.

19 (2) Where two or more contributors of identical amounts meet the threshold for  
20 the top two contributors, the order of disclosure shall be made beginning with the most  
21 recent contributor of that amount.

22 (3) The disclosures ~~required by Sections 84503, 84504, 84506, and 84506.5~~ shall  
23 be presented in a clear and conspicuous manner to give the reader, observer or listener

1 adequate notice of the identity of the person(s) or committee(s) that paid for the  
2 communication, as specified below.

3 (A) Video: The information shall be both written and spoken either at the  
4 beginning or at the end of the communication, except that if the disclosure statement is  
5 written for at least five seconds of a broadcast of thirty seconds or less or ten seconds of a  
6 sixty second broadcast, a spoken disclosure statement is not required. The written  
7 disclosure statement shall appear with a reasonable degree of color contrast between the  
8 background and text of the statement must be of sufficient size to be readily legible to an  
9 average viewer and air for not less than four seconds.

10 (B) Audio: The information shall be spoken in a clearly audible manner at the  
11 beginning or end of the communication and shall last at least three seconds.

12 (C) Print Media: All disclosure statements on printed materials designed to be  
13 distributed personally or through the mail shall be printed in type no less than 10 points in  
14 size and printed in a contrasting color to the background on which it appears.

15 (D) Over Size Print Media: All disclosure statements on printed materials that are  
16 larger than those designed to be individually distributed (e.g., yard signs or billboards)  
17 shall constitute at least five percent (5%) of the height of the advertisement and printed in  
18 a contrasting color.

19 (E) If a single print media advertisement consists of multiple pages, folds, or  
20 faces, the disclosure requirement of this Regulation applies only to one page, fold, or  
21 face.

22 (F) Each communication that would require a disclosure if distributed separately,  
23 and that is included in a package of materials, must contain the required disclosure.

1 (G) Electronic Media: The disclosure statement on electronic media  
2 advertisements must be presented in a clear and conspicuous manner. A disclosure is not  
3 clear and conspicuous if it is difficult to read or hear, or if the placement is easily  
4 overlooked. An electronic media disclosure statement is considered clear and  
5 conspicuous if it meets the following, as applicable to that advertisement:

6 1. Text or Graphic Electronic Media Advertisement: The disclosure information  
7 in a text or graphic electronic media advertisement must appear in letters at least as large  
8 as the majority of the text in the advertisement, or alternatively, if the advertisement is  
9 limited in size (e.g. a micro bar, a button ad, a paid text advertisement that is limited to  
10 500 characters or less in length, or a small paid graphic or picture link) the disclosure is  
11 displayed via rollover display, link to a webpage with disclosure information, or other  
12 technological means that provide the user with disclosure information. In addition, the  
13 disclosure information must be visible for a period of at least four seconds and appear  
14 with a reasonable degree of color contrast between the background and text of the  
15 statement as to be legible.

16 2. Audio Electronic Media Advertisement: In an audio format electronic media  
17 advertisement, the disclosure information must be spoken in a clearly audible and  
18 intelligible manner at the beginning or end of the communication and shall last at least  
19 three seconds.

20 3. Video Electronic Media Advertisement: In a video electronic media  
21 advertisement which also includes audio, the disclosure information shall be both written  
22 and spoken either at the beginning or at the end of the communication, except that if the  
23 disclosure statement is written for at least five seconds of a broadcast of thirty seconds or

1 less or ten seconds of a sixty second broadcast, a spoken disclosure statement is not  
2 required. The written disclosure statement shall appear with a reasonable degree of color  
3 contrast between the background and text of the statement must be of sufficient size to be  
4 readily legible to an average viewer and air for not less than four seconds.

5 4. Electronic Media Advertisement Disclosure – Exception: In electronic media  
6 advertisements whose size, space, or character limit constraints (i.e., SMS text message)  
7 render it impracticable to include the full disclosure information specified in Sections  
8 84503, 84504, 84506, 84506.5, or subsection (b)(3)(G)(1) of this regulation, the  
9 candidate or committee sending the mass mailing may provide abbreviated advertisement  
10 disclosure containing at least the committee’s FPPC number (i.e., “FPPC # 185734”) and  
11 when technologically possible a link to the webpage on the Secretary of State’s website  
12 displaying the committee’s campaign finance information, if applicable.

13 Note: Authority cited: Section 83112, Government Code. Reference: Sections 84503,  
14 84504, 84506 and 84506.5, Government Code.